

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

American Civil Liberties Union Foundation) Civil Action No. 3:24-cv-906-JDA
of South Carolina,)
)
Plaintiff,)
)
vs.)
)
Bryan Stirling, in his official capacity as)
Executive Director of the South Carolina)
Department of Corrections,)
)
Defendant.)
)

MOTION TO DISMISS

The Defendant, Bryan Stirling, in his official capacity as Executive Director of the South Carolina Department of Corrections, hereby moves for dismissal of the Complaint in this case pursuant to Rules 12(b)(1) and (6), FRCP, in that this Court lacks subject matter jurisdiction of this case and Plaintiff has failed to state a claim upon which relief can be granted:

1. This case presents no case or controversy or justiciable controversy.
2. The Plaintiff lacks standing to pursue the claims asserted in this case.
3. The Plaintiff's allegations do not support the relief requested under established principles of law.

For these reasons, all as more fully set forth in the accompanying Memorandum of Law, the Defendant asks that this case be dismissed in its entirety.

Respectfully submitted,

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